

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA

WAYMO LLC,  
Plaintiff,

v.

UBER TECHNOLOGIES, INC., et al.,  
Defendants.

Case No. [17-cv-00939-WHA](#) (JSC)

**ORDER GRANTING IN PART AND  
DENYING IN PART  
ADMINISTRATIVE MOTION TO FILE  
UNDER SEAL**

Re: Dkt. Nos. 684, 737, 736, 763

This Order addresses Uber Technologies, Inc. and Ottomotto LLC's ("Defendants") amended Administrative Motion to File under Seal portions of Exhibits to their Motion to Compel Responses to Interrogatories and Production of Documents (Dkt. No. 763.) After carefully considering the parties' submissions, the motion is GRANTED in part and DENIED in part.

Defendants seek to seal the following:

- 1) The highlighted portions of Exhibit 1A (Dkt. No. 684-4), which is Defendants' First Set of Requests for Production. Plaintiff Waymo LLC ("Plaintiff") designated the highlighted portions, which contain technical information, as confidential;
- 2) The entirety of Exhibit 3 (Dkt. No. 684-5), which is Plaintiff's Responses to Defendants' First Set of Requests for Production. Plaintiff designated these responses as "Highly Confidential – Attorneys' Eyes Only" under the Protective Order;
- 3) The entirety of Exhibit 6 (Dkt. No. 684-6), which is Plaintiff's Responses to Defendants' First set of Interrogatories, which Plaintiff designated "Highly Confidential – Attorneys' Eyes Only" under the Protective Order;

- 4) The highlighted portion of Exhibit 15 (Dkt. No. 763-4 at 2<sup>1</sup>), which is an email containing the email address of a high-ranking Uber executive. Defendants seek to seal this information in order to protect the privacy of this executive;
- 5) The entirety of Exhibit 18 (Dkt. No. 684-8), which is an internal Google presentation. Plaintiff designated this presentation as “Highly Confidential – Attorneys’ Eyes Only;”
- 6) The highlighted portions of Exhibit 21 (Dkt. No. 684-10), which is Plaintiff’s Third Set of Requests for Production to Defendants. Plaintiff designated these portions as “Highly Confidential – Attorneys’ Eyes Only.”

Plaintiff submitted a Declaration in support of sealing, narrowing the portions it requests to be sealed. (Dkt. No. 736.) The Court, finding that good cause to seal has been shown, GRANTS IN PART Defendants’ Administrative Motion and ORDERS that the following be filed under seal:

- 1) The highlighted portions of Exhibit 1A (Dkt. No. 684-4), which Plaintiff argues contain “descriptions of Waymo’s trade secrets, disclosure of which would be injurious to Waymo” (Dkt. No. 736 at 2);
- 2) The highlighted portions of Exhibit 3 (Dkt. No. 737), which Plaintiff argues contain “descriptions of Waymo’s trade secrets, disclosure of which would be injurious to Waymo” (*id.*);
- 3) The highlighted portions of Exhibit 6 (Dkt. No. 737-2), which Plaintiff argues contain descriptions of its trade secrets, as well as “detailed descriptions of Waymo’s internal and confidential developmental processes and thinking, which if publicly disclosed would be injurious to Waymo because disclosure would reveal details of Waymo’s highly confidential LiDAR development” (*id.*);
- 4) The entirety of Exhibit 18 (684-8), which Plaintiff argues comprises “Waymo’s market and competitive analyses, disclosure of any of which would be injurious to Waymo” (*id.* at 3);
- 5) The highlighted portions of Exhibit 21 (684-10), which Plaintiff argues contain

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<sup>1</sup> Record citations are to material in the Electronic Case File (“ECF”); pinpoint citations are to the ECF-generated page numbers at the top of the documents.

1 “descriptions of Waymo’s trade secrets, disclosure of which would be injurious to  
2 Waymo.” (*Id.*)

3 However, the Court DENIES to seal the highlighted portion of Exhibit 15 (Dkt. No. 763-4  
4 at 2), as this email address is already publicly available.

5 The parties shall file public versions of their briefs and exhibits consistent with this Order  
6 by no later than July 20, 2017. *See* N.D. Cal. Civ. L.R. 79-5(f)(3).

7 This Order disposes of Docket No. 684 and 763.

8 **IT IS SO ORDERED.**

9 Dated: July 13, 2017

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12 JACQUELINE SCOTT CORLEY  
13 United States Magistrate Judge  
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